



Harvard Law School
**Emmett Environmental
Law & Policy Clinic**

Wendy B. Jacobs, Esq.
Emmett Clinical Professor of
Environmental Law and Director
6 Everett Street, Suite 4119
Cambridge, MA 02138
617.496.3368 (tel.)
617.384.7633 (fax)
wjacobs@law.harvard.edu

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Records, FOIA, and Privacy Branch
Office of Environmental Information
Environmental Protection Agency
1200 Pennsylvania Avenue NW (2822T)
Washington, D.C. 20460

Re: Freedom of Information Act Request — Crosby, TX Arkema Facility's Risk Management Plan, Inspection Records, and Sampling Records

Dear Freedom of Information Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 et seq., and the implementing regulations of the Environmental Protection Agency (EPA), 40 C.F.R. Part 2, I am submitting the following request for records on behalf of the Emmett Environmental Law and Policy Clinic at Harvard Law School.

Requested Records

Specifically, the Clinic requests the Risk Management Plan, required by 42 U.S.C. § 7412(r), for the Arkema facility in Crosby, Texas, and records¹ regarding the following:

- (1) Inspections at the Arkema facility in Crosby, Texas conducted pursuant to the facility's Risk Management Plan between January 2010 and the present;

¹ For the purposes of this request, records include, but are not limited to:

- Any handwritten, typed or printed documents (such as memoranda, emails, books, brochures, studies, writings, drafts, letters, transcripts, minutes, notes, meeting notes, correspondence, and calendars);
- Raw data, data analysis, data interpretations, maps, tables, reports, summaries, diagrams, statements of policy and interpretations, administrative staff manuals and instructions to staff, regardless of physical form or format; and
- Documentary material in other forms (such as audio or video recordings, slides, and photographs).

- (2) All sampling data, flyover records, and inspections at or from the Arkema facility in Crosby, Texas, and any results and analysis of such monitoring and inspections between January 2010 and the present;
- (3) Any correspondence between the EPA and any employee, owner, representative of, or lobbyist representing the Arkema facility in Crosby Texas between January 2015 and the present; and
- (4) Any correspondence within the EPA or between the EPA and other federal or state government officials concerning the Arkema facility in Crosby, Texas between January 2010 and the present;

To the extent practicable, please provide records by email. If EPA maintains that portions of a requested record are exempt from disclosure, please redact the exempt portions and provide the remainder of the record.

Request for Fee Waiver

EPA regulations provide that “educational or scientific institutions, whose purpose is scholarly, noncommercial research, will be charged only for the cost of record duplication, except that the first 100 pages of duplication will be furnished at no charge.” 40 C.F.R. § 2.107(c)(ii). The Clinic qualifies under this standard for a fee waiver as Harvard Law School is an educational institution, and the Clinic requests these records for educational purposes and will realize no commercial benefit from the release of the requested records. Please contact me if copying fees are expected to exceed \$100.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy B. Jacobs", written in a cursive style.

Wendy B. Jacobs